## IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF TENNESSEE AT NASHVILLE

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GREGORY RYAN WEBB	)
Plaintiff,	) )
<b>v.</b>	) Case No.: 3:25-cv-00019
JESSICA DANIELLE HILL, JOSH TOLLETT, JOSH TOLLETT MASONRY,	) Judge Aleta A. Trauger )
QUALITY OF LIFE HEALTHCARE  Defendants.	) ) )

## **MOTION TO DISMISS**

Defendants Josh Tollet ("Mr. Tollet") and Josh Tollett Masonry ("JTM"), by and through counsel, and pursuant to Federal Rule of Civil Procedure 12(b)(6) move to dismiss Plaintiff Gregory Ryan Webb's (the "Plaintiff") Complaint, with prejudice, for failure to state a claim upon which relief can be granted.

As argued more fully in the Memorandum of Law filed contemporaneously herewith, Plaintiff's claims of stalking, conversion, denial of right to religion, kidnapping, burglary, denial of equal protection, harassment, violation of his right to privacy, and wrongful termination do not any allege any specific conduct on behalf of Mr. Tollett or JTM. "It is a basic pleading essential that a plaintiff attribute factual allegations to particular defendants. Where a person is named as a defendant without an allegation of specific conduct, the complaint is subject to dismissal as to that defendant, even under the liberal construction afforded to pro se complaints." Not only do many

<sup>&</sup>lt;sup>1</sup> Webb v. Republican Party of Cumberland Cnty., 2024 U.S. Dist. LEXIS 180932, at \*11 (citing Green v. Correct Care Sols., No. 3:14-cv-01070, 2014 U.S. Dist. LEXIS 63021, 2014 WL 1806997, at \*4 (M.D. Tenn. May 7, 2014) (citing cases)).

of Plaintiff's allegations fail to give rise to a civil claim, but they are also lacking factual context and should be dismissed under Rule 12.

WHEREFORE, Defendants Josh Tollett and Josh Tollett Masonry respectfully ask this Court to dismiss Plaintiff Gregory Ryan Webb's Complaint, with prejudice, for failure to state a claim upon which relief can be granted.

Respectfully submitted,

LEWIS THOMASON, P.C.

By: /s/ Peter Robison
Peter C. Robison, BPR #27498
424 Church Street, Suite 2500
P.O. Box 198615
Nashville, TN 37219
(615) 259-1366
probison@lewisthomason.com

Attorney for Defendant Josh Tollett Masonry

## **CERTIFICATE OF SERVICE**

This certifies that a true and correct copy of the foregoing MOTION TO DISMISS has been served on the following:

This the 25<sup>th</sup> day of April 2025.

/s/ Peter Robison
Peter Robison